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January 5, 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BY HAND DELIVERY

Ms. Magalie R. Salas, Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Re:

In the Matter of Amendment of Section 73.202(b) Table of Allotments FM Broadcast Stations (Cross Plains, et. al.)
MM Docket No. 98-198; RM-9304

Dear Ms. Salas:

Transmitted herewith on behalf of Wagonwheel Broadcasting of Santa Anna are an original and four (4) copies of its "Reply Comments" as directed to the Allocations Branch.

Should any additional information be required, please contact this office.

Very truly yours,



Henry E. Crawford
Counsel for
Wagonwheel Broadcasting of
Santa Anna

cc: the Allocations Branch

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

JAN - 5 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
(Cross Plains, Allan, Benbrook,
Brownwood, Burkburnett, Campbell,
Clifton, Coleman, Commerce, Cureo,
Detroit, Graham, Granbury, Haskell,
Howe, Jacksboro, Kerens, Luling,
Mason, McKinney, Muenster, San
Saba,, Santa Anna, Snyder, Terrell,
Vernon, Waco, Wellington, and Wichita
Falls, Texas; Alva, Anardarko,
Animore, Atoka, Comanche, Dickson,
Duncan, Durant, Eldorado, and Lone
Grove, Oklahoma)

MM Docket No. 98-198

RM-9304

To: The Allocations Branch
Policy and Rules Division
Mass Media Bureau

REPLY COMMENTS

Wagonwheel Broadcasting of Santa Anna ("Wagonwheel"), by counsel, pursuant to 47 CFR §1.415, hereby files its reply comments in the above-referenced proceeding supporting the joint counterproposal of Gulfwest Broadcasting Company and Sonoma Media Corporation, filed on December 21, 1998. In support thereof, the following is stated.

1. On December 10, 1998, Wagonwheel filed a Petition for Rulemaking seeking to allot channel 290C2 to the community of Santa Anna, Texas as its first aural service.¹
2. In accordance with the Notice of Proposed Rule Making ("NPRM") issued in this proceeding, comments were due on December 21, 1998 and reply comments on January 5, 1999.
3. Several counterproposals were filed on or before the deadline for comments. They are:
 - 1) **Comments and Counterproposal**, filed by Gulfwest Broadcasting Company and Sonoma Media Corporation (hereinafter "Gulfwest Proposal");
 - 2) **Counterproposal and Supplement to Counterproposal**, filed by First Broadcast Management, LLC, KCYT-FM License Corp. and Gain-Air, Inc. (hereinafter "First Broadcast Proposal");
 - 3) **Counterproposal**, filed by WBAP/KSCS Operating, Ltd. and Blue Bonnet Radio, Inc. (hereinafter "WBAP Proposal");
 - 4) **Joint Counterproposal and Global Resolution of MM Docket Nos. 97-26 and 97-91**, filed by Heftel Broadcasting Corporation, Metro Broadcasters-Texas, Inc. and Jerry Snyder and Associates, Inc. ("hereinafter Heftel Proposal")
4. Wagonwheel's requested allotment on Channel 290C2 is in direct conflict with the First Broadcast Proposal, the WBAP Proposal and the Heftel Proposal. In all of those proposals, Channel 290C3 at Cross Plains is substituted for the allotment of Channel 245C3 at Cross Plains as originally proposed in the

¹ Wagonwheel initially specified a transmitter site at N 31-44-32, W 99-19-18. The reference coordinates were later amended to specify N 31-58-44, W 99-30-38. See Amendment to Petition for Rulemaking, December 15, 1998.

NPRM.² Therefore, the adoption of either the First Broadcast Proposal, the Heftel Proposal or the WBAP Proposal would block Wagonwheel's proposal to being a first aural service to Santa Anna, Texas. On the other hand, the Gulfwest Proposal does not conflict in any way with the allocation sought by Wagonwheel.

5. Wagonwheel submits that in the instant case, the public interest requires the allotment of a first aural service to Santa Anna, Texas. This allotment is superior to the complex proposals offered by the other parties which would only result in additional FM outlets for the Dallas-Fort Worth metropolitan area and would strip rural service from the communities of Granbury or Commerce, Texas. In this regard, Wagonwheel notes that Santa Anna is in need of a high powered FM facility in order to be economically viable and achieve the most efficiency within its rural service area.

6. In conclusion, Wagonwheel opposes the proposals that have been filed in this proceeding which would conflict with its proposed Channel 290C2 at Santa Anna, Texas. It supports the proposal of Gulfwest because it achieves several important public interest objectives without conflicting with the Wagonwheel proposal.

² See First Broadcasting Proposal, p. 4, ¶3; Heftel Proposal, p. 3, ¶5, WBAP Proposal, p. i.


WHEREFORE, Wagonwheel Broadcasting of Santa Anna respectfully requests that the counterproposal of Gulfwest be adopted herein and that the proposal of the other counter-proponents be denied.

January 5, 1999

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Respectfully Submitted,

Wagonwheel Broadcasting
of Santa Anna

By: 
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Its Attorney

CERTIFICATE OF SERVICE

I, Henry E. Crawford, do hereby certify that copies of the foregoing Reply Comments have been served by United States mail, postage prepaid this 5th day of January, 1999 upon the following:

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